

Docket No.: 027929.101-US00  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Patent Application of:  
Tetsumasa Ito

Application No.: 10/050,608

Filed: January 18, 2002

For: GENE DETECTION SYSTEM, GENE  
DETECTION DEVICE USING SAME,  
DETECTION METHOD, AND GENE  
DETECTING CHIP

Group Art Unit: N/A

Examiner: Not Yet Assigned

TRANSMITTAL LETTER

**Box Missing Parts**  
Commissioner for Patents  
Washington, DC 20231

Dear Sir:

Enclosed are the following items for filing in connection with the above-referenced  
Patent Application:

1. Fee Transmittal;
2. Response to Notice to File Missing Parts of Application (in duplicate);
3. Copy of the Notice to File Missing Parts of Nonprovisional Application;
4. Combined Declaration and Power of Attorney for Patent Application;
5. Statement Verifying the Accuracy of the English Translation of Japanese Patent  
Application of the above-captioned application;

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JUN - 7 2002  
TC 2800 MAIL ROOM

6. English translation of above-captioned application, filed in Japanese language on January 18, 2002 (40 pages);
7. Submission of the Formal Drawings;
8. Eight sheets of Formal Drawings (Figs. 1-3, 4(a), 4(b) and 5-8);
9. Claim for Priority under 35 U.S.C. 119 and Submission of Documents;
10. Certified copy of Japanese Application No. 2001-12415;
11. Check No. 295835 for \$1,298.00 to cover:
  - \$740.00 basic filing fee;
  - \$130.00 surcharge for late filing of the Declaration;
  - \$130.00 fee for non-English specification;
  - \$298.00 fee for additional claims; and
12. Return receipt postcard.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-0740, under Docket No. 027929.101-US00. A duplicate copy of this paper is enclosed.

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and

Application No.: 10/050,608

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Docket No.: 027929.101-US00

any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 50-0740.

Dated: May 20, 2002

Respectfully submitted,

By 

Anthony S. Yoo

Registration No.: 45,540

COVINGTON & BURLING

1201 Pennsylvania Avenue, N.W.

Washington, DC 20004-2401

(202) 662-6000

#3

Docket No.: 027929.101-US00  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Tsumasa Ito

Application No.: 10/050,608

Group Art Unit: N/A

Filed: January 18, 2002

Examiner: Not Yet Assigned

For: GENE DETECTION SYSTEM, GENE  
DETECTION DEVICE USING SAME,  
DETECTION METHOD, AND GENE  
DETECTING CHIP

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

**Box Missing Parts**

Commissioner for Patents  
Washington, DC 20231

Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date Granted  
mailed March 21, 2002, Applicant respectfully submits the following documents:

1. Fee Transmittal;
2. Copy of the Notice to File Missing Parts of Nonprovisional Application;
3. Combined Declaration and Power of Attorney for Patent Application;
4. Statement Verifying the Accuracy of the English Translation of Japanese Patent  
Application for the above-captioned application;
5. English translation of above-captioned application, filed in Japanese language on  
January 18, 2002 (40 pages);
6. Submission of the Formal Drawings;



10050608-052002

7. Eight sheets of Formal Drawings (Figs. 1-3, 4(a), 4(b) and 5-8);
8. Claim for Priority under 35 U.S.C. § 119 and Submission of Documents;
9. Certified copy of Japanese Application No. 2001-12415;
10. Check No. 295835 for \$1,298.00 to cover:
  - \$740.00 basic filing fee;
  - \$130.00 surcharge for late filing of Declaration;
  - \$130.00 fee for non-English specification;
  - \$298.00 fee for additional claims; and
11. Return receipt postcard.

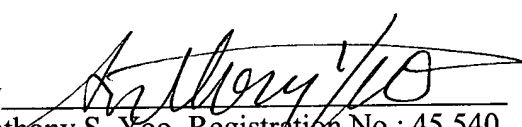
It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 50-0740.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-0740, under Docket No. 027929.101-US00. A duplicate copy of this paper is enclosed.

Dated: May 20, 2002

Respectfully submitted,

By

  
Anthony S. Yoo, Registration No.: 45,540  
COVINGTON & BURLING  
1201 Pennsylvania Avenue, N.W.  
Washington, DC 20004-2401  
(202) 662-6000

2002508-052002

#5

Attorney Docket No.



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Tetsumasa ITO

Serial No. 10/050,608

Group Art Unit: N/A

Filed: January 18, 2002

Title: GENE DETECTION SYSTEM, GENE  
DETECTION DEVICE USING SAME,  
DETECTION METHOD, AND GENE DETECTING  
CHIP

**STATEMENT VERIFYING THE ACCURACY OF THE ENGLISH  
TRANSLATION OF JAPANESE PATENT APPLICATION**

Hon. Commissioner of Patents and Trademarks  
Washington D.C. 20231

Sir:

The undersigned hereby declares and attests that the  
attached English translation of the above-identified patent  
application, filed in Japanese language on January 18, 2002,  
is a true and accurate translation.

Date: April 10, 2002

Signed: Aya Suzuki

Printed Name: Aya Suzuki

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Docket No.: 027929.101-US00  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Patent Application of:  
Tetsumasa Ito

Application No.: 10/050,608

Filed: January 18, 2002

Group Art Unit: N/A

Examiner: Not Yet Assigned

For: GENE DETECTION SYSTEM, GENE  
DETECTION DEVICE USING SAME,  
DETECTION METHOD, AND GENE  
DETECTING CHIP

SUBMISSION OF FORMAL DRAWINGS

Commissioner for Patents  
Washington, DC 20231

Dear Sir:

Submitted herewith are eight sheets (Figs. 1-3, 4(a), 4(b) and 5-8) of formal drawings for filing in the above-identified patent application. Kindly substitute the enclosed formal drawings for the drawings containing non-English text submitted with the originally filed application.

Dated: May 20, 2002

Respectfully submitted,

By

Anthony S. Yoo

Registration No.: 45,540

COVINGTON & BURLING

1201 Pennsylvania Avenue, N.W.

Washington, DC 20004-2401

(202) 662-6000

10050608-052002

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PTO/SB/17 (11-01)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL**  
**for FY 2002**

Patent fees are subject to annual revision.

☐ Application claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) **1,298.00****Complete if Known**

Application Number	10/050,608-Conf. #4635
Filing Date	January 18, 2002
First Named Inventor	Tetsumasa Ito
Examiner Name	Not Yet Assigned
Group Art Unit	N/A
Attorney Docket No.	027929.101-US00

**METHOD OF PAYMENT (check all that apply)**☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☐ Deposit AccountDeposit Account Number **50-0740**Deposit Account Name **Covington & Burling**

The Commissioner is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☐ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee

to the above-identified deposit account.

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	740.00
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

**SUBTOTAL (1)** (\$) **740.00****2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

	Extra Claims	Fee from below	Fee Paid
Total Claims	21	-20** = 1 x 18.00 =	18.00
Independent Claims	2	-3** = x =	0.00
Multiple Dependent		280.00 =	280.00

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)** (\$) **298.00**

\*\*or number previously paid, if greater. For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	130.00
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))	
149	740	249	370	For each additional invention to be examined (37CFR 1.129(h))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$) **260.00****SUBMITTED BY**Name (Print/Type) **Anthony S. Yoo**

Registration No. (Attorney/Agent)

**45,540****Complete (if applicable)**Telephone **(202) 662-6000**

Signature

Date **May 20, 2002**



#3



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/050,608	01/18/2002	Tetsumasa Ito	027929.00101-US00

CONFIRMATION NO. 4635

## FORMALITIES LETTER



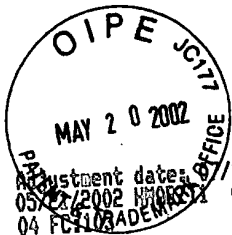
\*OC000000007692227\*

26853  
COVINGTON & BURLING  
ATTN: PATENT DOCKETING  
1201 PENNSYLVANIA AVENUE, N.W.  
WASHINGTON, DC 20004-2401

05/21/2002 HEMARZIL 00000074 10050603

01 FC:101	740.00 DP
02 FC:105	130.00 DP
03 FC:139	130.00 DP
04 FC:103	18.00 DP
05 FC:104	180.00 DP

Date Mailed: 03/21/2002



## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(i), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- **The balance due by applicant is \$ 1000.**
- Because your specification was filed in a language other than English, the Office was unable to determine the number of claims submitted. Additional claim fees may be due once the number of claims can be determined.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:

Repln. Ref: 07/16/2002 HTEKLEWI 0011214600  
DAN:500740 Name/Number:10050608  
FC: 704

■ 10050608 figures contain text that is not in English (including, for example, a flow chart

10050603-052002

that was originally not in English that has been marked up to include the English text)  
see 37 CFR 1.84(p)(2) and 37 CFR 1.52(d)(1);

*A copy of this notice **MUST** be returned with the reply.*

Aida Giron

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

200250-80905001